

EXHIBIT 1

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LEON WEINGRAD,

Plaintiff,

v.

EXACT CARE PHARMACY, LLC,

Defendant.

) CASE NO. 2:25-CV-1843-MMB
)
) JUDGE MICHAEL M. BAYLSON
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DECLARATION OF TODD DONNELLY

I, Todd Donnelly, state and declare as follows:

1. I am over the age of 18 and, unless stated otherwise herein, have personal knowledge of the matters set forth below.

2. I am the Senior Vice President, Compliance for Exact Care Pharmacy, LLC ("Exact Care").

I have been employed by Exact Care since 2014.

3. Exact Care is a medication management and pharmaceutical provider that specializes in helping people with complex medical needs overcome medication-related and chronic care challenges.

4. As part of its patient outreach initiatives, Exact Care receives referrals for new patients from several sources in various formats including health plans, providers, insurance plans, home health agencies, lead generating companies, and other referral services.

5. If a referral comes from one of the patient lead generating companies that Exact Care partners with, the individual's documented consent to be called is captured and provided to Exact Care.

6. I included with my Declaration filed in the above referenced case on June 17, 2025 copies of call recordings, specifically Exhibits B, C, D, E, and F to that Declaration. Exact Care received

some of those call recordings from its vendor. Exhibit E (call recording with the file name 3-6-2025_1202 PM_ExactCare Outbound Call) and Exhibit F (call recording with the file name 3-7-2025_1220PM_ExactCare Outbound Call) are the only two outbound calls that were made by Exact Care itself to the Phone Number at Issue (i.e. Plaintiff's purported phone number ending in -6495).

7. I have reviewed the call recordings that the Plaintiff filed with his Opposition Brief on July 8, 2025 in the above captioned case.

8. Exact Care does not have any record of the alleged November 27, 2024 call set forth in Exhibit 2 to Plaintiff's Opposition (call recording with File name: +15032888192-2411271048) and Exact Care has not received any record of this call from its vendors.

9. Exact Care has no record of the December 7, 2024 call referenced within Plaintiff's Opposition and has not received from its vendors any record of this alleged call.


10. Exact Care also has no record of the alleged February 28, 2025 call set forth in Exhibit 3 to Plaintiff's Opposition (call recording with the File name: +15037556487-2502280819).

11. The caller on Exhibit 6 to Plaintiff's Opposition (call recording with File name: +15034046898-2502270943) at time stamp 00:01 through 01:06 appears to be an affiliate of one of Exact Care's vendors and is not an individual from Exact Care.

12. Exact Care is looking into with its vendor the alleged differences in the call recordings set forth in the Plaintiff's Opposition Brief.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 21st day of July 2025.


TODD DONNELLY
Senior Vice President, Compliance
Exact Care Pharmacy, LLC